

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WAYNE E. JONES,

Plaintiff,

v.

WASCO STATE PRISON, *et al.*,

Defendants.

No. 1:23-cv-0543 JLT BAM (PC)

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS, DISMISSING THE ACTION WITH PREJUDICE, AND DIRECTING THE CLERK OF COURT TO CLOSE THE CASE

(Doc. 22)

Wayne E. Jones is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The assigned magistrate judge screened the second amended complaint pursuant to 28 U.S.C. § 1915A(a). (Doc. 22.) The Court found Plaintiff failed to comply with Rules 8, 18, and 20 of the Federal Rules of Civil Procedure. (*Id.* at 3-5.) The magistrate judge also determined Plaintiff failed to state a cognizable claim, and further leave to amend was futile. (*Id.* at 5-7.) Therefore, the magistrate judge recommended Plaintiff's claim be dismissed with prejudice. (*Id.* at 8.)

The Court served the Findings and Recommendations on Plaintiff and notified that any objections were due within 14 days. (Doc. 22 at 7.) The Court informed Plaintiff that the failure to file timely objections may result in the waiver of his rights on appeal. (*Id.* at 8, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) No party filed objections, and the time to do so expired.

1 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a *de novo* review of this
2 case. Having carefully reviewed the entire file, the Court conducted the Findings and
3 Recommendations are supported by the record and by proper analysis. Thus, the Court

4 **ORDERS:**

- 5 1. The Findings and Recommendations issued on September 15, 2023 (Doc. 22) are
6 adopted in full.
7 2. This action is dismissed with prejudice.
8 3. The Clerk of Court is directed to close this case.

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10 IT IS SO ORDERED.

11 Dated: October 19, 2023


UNITED STATES DISTRICT JUDGE

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